

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

In re: GUIDANT CORP. IMPLANTABLE
DEFIBRILLATORS PRODUCTS
LIABILITY LITIGATION

MDL No. 05-1708 (DWF/AJB)

This Document Relates to:
Gary DeRose and a Class of Persons
Similarly Situated
v. Civil No.: 06-28 (DWF/AJB)
Guidant Corporation

Steve Gaydos and Diane Gaydos, as
Husband and Wife
v. Civil No. 06-32 (DWF/AJB)
Guidant Corporation

Richard Harvey
v. Civil No. 06-73 (DWF/AJB)
Guidant Corporation and Guidant Sales
Corporation

Leonard M. Sowers
v. Civil No. 05-2544 (DWF/AJB)
Guidant Corporation and Guidant Sales
Corporation

Clinton Thacker, et al.
v. Civil No. 06-1047 (DWF/AJB)
Guidant Corporation and Guidant Sales
Corporation

Michael Thorpe, et al.
v. Civil No. 06-81 (DWF/AJB)
Guidant Corporation and Guidant Sales
Corporation

Larry Wenig, et al.
v. Civil No. 05-2598 (DWF/AJB)
Guidant Corporation and Guidant Sales
Corporation

ORDER

Donald Wright
v. Civil No. 06-269 (DWF/AJB)
Guidant Corporation, Guidant Sales
Corporation, Cardiac Pacemakers, Inc.,
James M. Cornelius, Ronald W. Dollens, R.
Frederick McCoy, Daniel J. Tich, Kathleen
Lundberg, and Richard Roy

These matters came before the Court on Defendants' Motions to Dismiss for Failure To Comply With This Court's January 31, 2006 Order. The January 31, 2006 Order required Plaintiffs to submit completed fact sheets within 30 days of that Order or within 30 days of filing or docketing the case in this Court. The following Plaintiffs have failed to comply with that order:

1. Gary DeRose
2. Steve Gaydos and Diane Gaydos
3. Richard Harvey
4. Leonard M. Sowers
5. Co-Plaintiff Dallas Crouch (Thacker matter)
6. Co-Plaintiffs Michael Thorpe and Timothy Babcock (Thorpe matter)
7. Co-Plaintiffs Brian Cotter and Henry Furst (Wenig matter)
8. Donald Wright

Plaintiffs' failure to comply with this Court's January 31, 2006 Order not only prejudices Defendants' ability to mount a defense, but also adversely impacts this Court's ability to manage the MDL 1708 docket in a just, efficient, and expeditious manner.

IT IS NOW, THEREFORE, ORDERED that these matters as they relate to Plaintiffs listed above be **DISMISSED WITH PREJUDICE** for failure to comply with the January 31, 2006 Order.

Dated: July 3, 2006

s/Donovan W. Frank
DONOVAN W. FRANK
Judge of United States District Court